

SPECIAL MEETING
BOROUGH COUNCIL
BOROUGH OF RUMSON
March 4, 2008

A special meeting of the Borough Council of the Borough of Rumson was held in the Charles S. Callman Courtroom of the Memorial Borough Hall on March 4, 2008 and was called to order by Mayor John E. Ekdahl at 4:05 p.m.

Pledge of Allegiance.

Present: Mayor Ekdahl, Councilwoman DeVoe, Councilmen Broderick, Hemphill, Kammerer, Rubin and Shanley.

Absent: None.

Thomas S. Rogers, Municipal Clerk/Administrator, was present.

Martin M. Barger, Borough Attorney, was not present.

C. Bernard Blum, Jr., Borough Engineer, was not present.

David Marks of T & M Associates was present.

The Mayor declared a quorum present and announced that the notice requirements of the Open Public Meetings Act had been met by the posting and mailing of a notice forwarded at least 48 hours in advance thereof to the *Asbury Park Press* and the *Two River Times*.

On motion by Councilwoman DeVoe, seconded by Councilman Rubin, the minutes of the previous meeting were approved as written, copies having been forwarded to all Council members. All in favor.

COMMUNICATIONS:

LETTER FROM GREGORY S. BLASH, P.E. OF LEON S. AVAKIAN, INC., ENGINEER ON THE NEW BOROUGH HALL BUILDING PROJECT, DATED MARCH 4, 2008 RECOMMENDING THAT THE BOROUGH REJECT ALL BIDS ON ALTERNATE #1 AND ALTERNATE #2 FOR THE SITE WORK ON THE PROJECT AND SOLICIT NEW SEALED BIDS BECAUSE ALL BIDS RECEIVED WERE SUBSTANTIALLY OVER THE ENGINEER'S ESTIMATE:

The Municipal Clerk/Administrator advised of a letter dated March 4, 2008 from Gregory S. Blash, P.E. of Leon S. Avakian, Inc. recommending that the Borough: reject all bids on the Alternate #1 and Alternate #2 for the Site Improvements for the new Municipal Building Project because all bids received on the two Alternates were substantially higher than the Engineer's Estimate. Mr. Blash recommended that the Borough delete Alternates 1 and 2 from the base bid for the Project and bid these items under a separate contract.

On motion by Councilman Kammerer, seconded by Councilman Hemphill, this communication was ordered received and the recommendation of the Project Engineer was approved to reject all bids on the Site Work Alternate #1 and Alternate #2 for the New Borough Hall Project on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Kammerer, Rubin and Shanley.

In the negative: None.

Absent: None.

COMMITTEE REPORTS:

None.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

BOND ORDINANCE 08-004 TO AMEND THE APPROPRIATION ON THE BOND ORDINANCE APPROVED MARCH 29, 2007 IN FIRST READING. PUBLIC HEARING SCHEDULED FOR TUESDAY, MARCH 18, 2008:

The Municipal Clerk/Administrator read the following ordinance by title only in first reading:

08-004

BOND ORDINANCE AMENDING A BOND ORDINANCE FINALLY
ADOPTED MARCH 29, 2007 BY THE BOROUGH OF RUMSON,
IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY,
IN ORDER TO PROVIDE FOR CHANGES THEREIN

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF RUMSON,
IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all the members
thereof affirmatively concurring), AS FOLLOWS:

Section 1. The bond ordinance of the Borough of Rumson, in the County of Monmouth, New Jersey (the "Borough"), finally adopted March 29, 2007 and entitled, "BOND ORDINANCE APPROPRIATING \$7,937,000.00 AND AUTHORIZING \$7,406,666.00 BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF RUMSON, IN THE COUNTY OF MONMOUTH, NEW JERSEY" (the "Original Ordinance") is hereby amended as follows:

(i) all references in the Original Ordinance to the appropriation of "\$7,937,000.00" are hereby deleted and "\$8,937,000.00" is substituted in lieu thereof.

(ii) all references in the Original Ordinance to the aggregate down payment of \$370,334.00 are hereby deleted and “\$417,953.05” is substituted in lieu thereof.

(iii) all references in the Original Ordinance to the principal amount of bonds or notes of “\$7,406,666” are hereby deleted and “\$8,359,046.95” is substituted in lieu thereof.

(iv) the first line contained in the table set forth in Section 3 of the Original Ordinance which reads

New Borough Hall	\$5,500,000.00	\$5,238,095.20	40 years
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is hereby amended to read in its entirety as follows:

New Borough Hall	\$6,500,000.00	\$6,190,476.15	40 years
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(v) the reference to “33.5 years” set forth in Section 4(b) of the Original Ordinance is hereby deleted and “34.2” is substituted in lieu thereof.

Section 2. All other details of the Original Ordinance shall remain the same.

Section 3. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Councilman Hemphill moved the adoption of this ordinance in first reading. Motion seconded by Councilman Broderick and carried on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Kammerer, Rubin and Shanley.

In the negative: None.

Absent: None.

Mayor Ekdahl stated that this ordinance would be published and posted and come up for final consideration and public hearing at the Tuesday, March 18, 2008 special meeting of the Borough Council at 4:00 p.m.

RESOLUTION TO REJECT ALTERNATE #1 AND ALTERNATE #2 OF THE BIDS THAT WERE RECEIVED ON FEBRUARY 20, 2008 FOR THE SITE WORK PORTION OF THE NEW BOROUGH HALL BUILDING AND SITE WORK PROJECT:

Councilwoman DeVoe offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, the Borough of Rumson solicited for sealed bids for a project know as the New Borough Hall Building and Related Site Work; and

WHEREAS, the Borough of Rumson received sealed bids from sixteen bidders on February 20, 2008 with two Apparent Low Bidders; and

WHEREAS, it had been recommended by the Professionals and Engineers that we solicit for bids on the Site Work as Alternate #1 and Alternate #2; and

WHEREAS, all the bids on Alternate #1 and Alternate #2 came in well over the Engineer's Estimate for this portion of the Project, including the Apparent Low Bidders #1 Benjamin R. Harvey Co. and #2 Structural Concepts; and

WHEREAS, the Engineer for the Project, Gregory S. Blash, P.E. of Leon S. Avakian, Inc., recommended that the Borough reject all bids on Project Site Work Alternate #1 and Alternate #2; and

WHEREAS, the Borough Administrator and Professionals are still in the process of reviewing the Base Bids and Alternates #3 and #4 that were received on February 20, 2008;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Alternate #1 and Alternate #2 of the Borough Hall Project be rejected from all bids; and

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to Gregory S. Blash, P.E. of Leon S. Avakian, Inc., Architect Frank J. Tomaino of Design Ideas Group, Chief Financial Officer Helen L. Graves and Borough Attorney Martin M. Barger, Esq.

Resolution seconded by Councilman Broderick and carried on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Kammerer, Rubin and Shanley.

In the negative: None.

Absent: None.

COMMENTS FROM THE COUNCIL:

The Mayor afforded the members of the Council an opportunity to be heard at this time and no one responded.

COMMENTS FROM THE PUBLIC:

The Mayor afforded the public an opportunity to be heard at this time and no one responded.

ADJOURNMENT:

On motion by Councilwoman DeVoe, seconded by Councilman Rubin, the meeting adjourned at 4:10 p.m. All in favor.

Respectfully submitted,

Thomas S. Rogers, R.M.C.
Municipal Clerk/Administrator